F.A.F.O. No. 197 of 2001

(Old No. 420 of 1982)

Sri Nain Singh ..... Appellant

Versus

Oriental Fire and General Insurance Company Ltd. and others ..... Respondents

.....

Hon.A.A.Desai,C.J.
Hon.M.C.Jain,J.

Heard Sri Virendra Adhikari, learned counsel for the appellant and Sri B.D.Kandpal for the respondents nos. 3 to 6, who vehemently opposed.

The appeal is by a driver of Road Transport. He was found negligent. Only Rs. 800/- out of Rs. 1600/- proportionate to his liability, have been awarded against him. The learned counsel tried to urge that he was no negligent. However, as a result of the accident, twelve persons died at the spot.

Having regard to the claim as awarded against the petitioner/appellant, we do not propose to enter– tain the appeal.

The appeal is dismissed.

(A.A.Desai,C.J.) **(M.C.Jain,J.)**

Dt. 2.8.2001
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